

REMARKS

Claims 1 – 19 are pending in the present application. Claims 2, 6, 13, 14, 15 and 17 have been cancelled, Claims 16 and 18 has been amended to depend from Claim 1, leaving Claims 1, 3 – 5, 7 – 12, 16 and 18 - 19 for consideration upon entry of the present amendment. No new matter has been introduced by this amendment.

Claim Amendments

Claims 16 and 18 have been amended to better define the invention. Support for the amendments to Claims 16 and 18 can be found at least in Claim 14 as originally filed as well as on page 14, lines 9 – 11 (Claim 16), lines 15 – 17 (Claim 18) and lines 18 – 23 (both Claims 16 and 18).

Claim Objections

Claims 2 and 6 are objected to as being substantial duplicates of Claim 1. (Office Action dated 08/23/07, page 2)

Claims 2 and 6 have been cancelled thereby rendering this objection moot.

Claims Rejected Under 35 U.S.C. § 102

Claims 13 – 15 and 18 have been rejected under 35 U.S.C. § 102 (e) as being allegedly anticipated by U.S. Patent Application No. 2004/0077714 to Abdel-Monem et al. (Abdel-Monem) (Office Action dated 08/23/07, page 3) Applicants respectfully disagree since Abdel-Monem does not teach all elements of the claimed invention.

It is to be noted that Claims 13 – 15 and 17 have been cancelled. Claims 16 and 18 have been amended to be method claims depending from Claim 1. Claim 1 is directed to a method for preparation of an amino acid chelate, comprising the step of reacting a naturally occurring or synthetic metal carbonate with an acidic amino acid in an aqueous solution, wherein the metal carbonate is one or more carbonates with a valence of 2 or more selected from the group consisting of calcium carbonate, copper carbonate, zinc carbonate, ferrous carbonate, cobalt carbonate, chromium carbonate, magnesium

carbonate and manganese carbonate; and the acidic amino acid is glutamic acid, aspartic acid or a combination thereof.

To anticipate a claim under 35 U.S.C. § 102, a single source must contain all of the elements of the claim. *Lewmar Marine Inc. v. Barient, Inc.*, 827 F.2d 744, 747, 3 U.S.P.Q.2d 1766, 1768 (Fed. Cir. 1987), *cert. denied*, 484 U.S. 1007 (1988).

Abdel-Monem teaches neutral alpha amino acid complexes of trace minerals and their use for animal nutrition. (see Abstract) Abdel-Monem teaches a method of preparing a neutral complex of essential trace elements and a dicarboxylic alpha amino acid, comprising mixing a water soluble monobasic and amino acid dicarboxylic acid with a water soluble metal salt of the trace element in salt form; adjusting the pH to neutral in a manner to avoid formation of insoluble metal hydroxides; and cooling the reactants to form crystals of the neutral complexes. (see Claim 14) Abdel-Monem does not teach reacting metal carbonate with an acidic amino acid in an aqueous solution as presently claimed in Claim 1. Since Abdel-Monem does not teach all elements of Claim 1, it cannot anticipate the claimed invention as required by Claims 16 and 18. Applicants respectfully request a withdrawal of the anticipation rejection and an allowance of the claims.

It is believed that the foregoing remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance is requested.

If there are any additional charges with respect to this response or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Assignee.

Respectfully submitted,

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